

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY:

Debra A. Coar

DATE:

October 30, 2007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application Of
Gideon Dreyfuss, *et al.*

Serial No.: 10/677,662

Filed: October 2, 2003

For: COMPOSITIONS, METHODS AND KITS
USEFUL FOR THE DIAGNOSIS AND
TREATMENT FO SPINAL MUSCULAR
ATROPHY



: Group Art Unit:
: 1647

: Examiner:
: Bridget E. Bunner

: Attorney Docket No.:
: 46483-5027-01-US (207068)
: [Formerly 53893-5027-01]

TERMINAL DISCLAIMER TRANSMITTAL LETTER

Submitted herewith is a Terminal Disclaimer in accordance with 37 C.F.R. 1.321(c) with respect to the above-captioned patent application.

[X] A check for filing a Statutory disclaimer in the amount of \$ 65.00.

[X] The Commissioner is hereby authorized to charge Deposit Account No. 50-0573 any deficiencies or overpayments in the above-calculated fee.

Respectfully submitted,

Gideon Dreyfuss, *et al.*

October 30, 2007

By:

Kathryn Doyle

KATHRYN DOYLE, Ph.D., J.D.

Registration No. 36,317

DRINKER, BIDDLE & REATH, LLP

One Logan Square

18th and Cherry Streets

Philadelphia, PA 19103-6996

Telephone: (215) 988-2700

Direct Dial: (215) 988-2902

Facsimile: (215) 988-2757

E-Mail: kathryn.doyle@dbr.com

Attorney for Applicants

kd

KD/kh



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In Re Application of: Gideon Dreyfuss *et al.*

Attorney Docket No. 046483-5027-01-U
(207068) [Formerly 053893-5027-01]

Application No.: 10/677,662

Group Art Unit: 1647

Filed: October 2, 2003

Examiner: Bridget E. Bunner

Title: Compositions, Methods, and Kits Useful for the Diagnosis and Treatment of Spinal Muscular Atrophy

11/05/2007 SDENB083 06090001 18677662
01 FC:2814 55.00 OP

TERMINAL DISCLAIMER IN COMPLIANCE WITH 37 C.F.R. § 1.321(c)

In accordance with 37 C.F.R. 1.321(c), Petitioner, the Trustees of the University of Pennsylvania, represents that it is assignee of the whole and entire right; title and interest in and to the above-captioned application, which application is a divisional of U.S. Application No. 09/399,081, filed September 17, 1999, now issued as U.S. Patent 6,646,113 which claims priority to U.S. Application No. 60/100,866, filed September 17, 1998, now expired, all of which are hereby incorporated by reference in their entirety herein. U.S. Patent 6,646,113 was assigned to Petitioner by an Assignment recorded in the U.S. Patent and Trademark Office on March 3, 2000 at Reel 010679, Frame 0608. Based on a review of evidentiary documents relating to the chain of title from the original owner to Petitioner, the undersigned hereby certifies that to the best of his knowledge and belief, both present application and the prior patents are commonly owned by Petitioner.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 of U.S. Patent 6,646,113. Petitioner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and the grandparent patent are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full

11/05/2007 SDENB083 06090001 18677662

statutory term defined in 35 U.S.C. § 154 to § 156 of U.S. Patent 6,646,113, in the event that it later; expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a re-examination certificate, or is in any matter terminated prior to the expiration of its full statutory term.

The undersigned official of Petitioner is empowered to act on behalf of Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

GIDEON DREYFUSS

October 30, 2007
(Date)

By:

Kathryn Doyle
KATHRYN DOYLE, Ph.D, J.D.
Registration No. 36,317
DRINKER, BIDDLE & REATH, LLP
One Logan Square
18th and Cherry Streets
Philadelphia, PA 19103-6996
Telephone: (215) 988-2700
Direct Dial: (215) 988-2902
Facsimile: (215) 988-2757
E-Mail: Kathryn.Doyle@dbr.com
Attorney for Applicant

del